

E-Filed 1/5/2009

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

RUTH G. HINTZ, et al.,

Plaintiffs,

v.

ALZA CORPORATION, et al.,

Defendants.

Case Number C 08-4422 JF (RS)

ORDER¹ GRANTING JOINT
MOTION TO TRANSFER VENUE

[re: doc. no. 10]

Plaintiffs Ruth G. Hintz, Janice S. Coy, and Randolph M. Hintz (collectively, “Plaintiffs”) and Defendants Mylan, Inc., Mylan Pharmaceuticals, Inc., and Mylan Technologies, Inc. (collectively, “Defendants”) jointly move to transfer the instant action to the Eastern Division of the Central District of California pursuant to 28 U.S.C. § 1404(a). “To support a motion for transfer, the moving party must establish (1) that venue is proper in the transferor district, (2) that the transferee district is one where the action might have been brought, and (3) that the transfer will serve the convenience of the parties and witnesses and will promote the interest of justice.” *Joe Boxer Corp. v. R. Siskind & Co., Inc.*, No. C 98-4899, 1999 WL 429549, at *7 (N.D. Cal. June 29, 1999) (citing *Goodyear Tire & Rubber Co. v. McDonnell Douglas*

¹ This disposition is not designated for publication in the official reports.

1 *Corp.*, 820 F. Supp 503, 506 (C.D. Cal. 1992)).

2 Venue is proper in this district, as the Court has diversity jurisdiction under 28 U.S.C. §
3 1332(a) and the instant action was removed from the Santa Clara Superior Court pursuant to 28
4 U.S.C. § 1441(a). However, venue also is proper in the proposed transferee district as the events
5 underlying the instant litigation occurred in Riverside County. The Court finds and concludes
6 that transfer to the Central District of California will serve the convenience of the parties and the
7 interests of justice, as key witnesses and documents are located in Riverside County.

8 Accordingly, IT IS HEREBY ORDERED that the joint motion to transfer venue is
9 GRANTED. The action is hereby transferred to the Eastern Division of the Central District of
10 California.

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12 DATED: January 5, 2009

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JEREMY FOGEL
United States District Judge

1 This Order has been served upon the following persons:

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